

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

UNITED STATES OF AMERICA,

CASE NO: 00-6329-CR-FERGUSON

Plaintiff,

v.

HENRY SCHUR and NICHOLAS
LEVANDOSKI,

Defendants.

MOTION FOR CONTINUANCE OF SENTENCING

COME NOW, the Defendants, Henry Schur and Nicholas Levandoski, and by and through their undersigned counsel, and respectfully request this Honorable Court enter an Order continuing the sentencing presently scheduled for March 23, 2001, and as grounds and in support thereof states as follows:

1. The Defendant, Henry Schur, entered a guilty plea to one Count of mail fraud and one Count of making false statements to the FDA.
2. The Defendant, Nicholas Levandoski, entered a guilty plea to one Count of mail fraud and one Count of making false statements to the FDA.
2. Sentencing in this matter has been scheduled for March 23, 2001.
3. Richard L. Rosenbaum is scheduled to be out of the State of Florida from March 16, 2001 through March 23, 2001 on a pre-paid family vacation.
4. Based upon an unavoidable conflict, and the fact that Richard L. Rosenbaum is unable to be in two places at one time, it is respectfully requested that this Honorable Court enter an Order continuing the sentencing of this cause.

5. This Motion is made in good faith and not for the purpose of delay or avoidance.
6. Undersigned has discussed the issues raised in this Motion with the prosecutor assigned to represent the United States, Robert Nicholson, Esq. AUSA Nicholson has authorized undersigned counsel to advise this Court that the Government has no objection to the relief sought herein.

WHEREFORE, the Defendants, Henry Schur and Nicholas Levandoski, respectfully moves this Honorable Court enter an Order continuing the sentencing which is presently set for March 23, 2001.

WE HEREBY CERTIFY that a copy of the foregoing has been furnished this 22nd of February, 2001 to: Assistant United States Attorney, Robert Nicholson, 299 East Broward Boulevard, Fort Lauderdale, Florida 33301 and U.S. Pretrial Services, 299 East Broward Boulevard, #301, Fort Lauderdale, Florida 33301.

Respectfully submitted,

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BY 

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BY _____

MARTIN I. JAFFE